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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**OAKLAND DIVISION**

ASHTON WOODS HOLDINGS, L.L.C.;	) CASE NO. 4:15-cv-01247-HSG
BEAZER HOMES HOLDINGS CORP.;	)
CALATLANTIC GROUP, INC.; D.R. HORTON	) Hon. Haywood S. Gilliam, Jr.
LOS ANGELES HOLDING COMPANY, INC.;	)
HOVNANIAN ENTERPRISES, INC.; KB	)
HOME; MERITAGE HOMES CORPORATION;	) <b>PLAINTIFFS' AND L&amp;W'S</b>
M/I HOMES, INC.; PULTE HOME	) <b>STIPULATION OF</b>
CORPORATION; THE DREES COMPANY;	) <b>DISMISSAL AND</b>
TOLL BROTHERS, INC.; TRI POINTE	) <b>ORDER</b>
HOMES, INC.,	)

Plaintiffs,

vs.

USG CORPORATION; UNITED STATES	)
GYPSUM COMPANY; L&W SUPPLY	)
CORPORATION; NEW NGC, INC.; LAFARGE	)
NORTH AMERICA, INC.; CONTINENTAL	)
BUILDING PRODUCTS, INC.; CERTAINTEED	)
GYPSUM, INC.; AMERICAN GYPSUM	)
COMPANY LLC; TIN, INC., d/b/a TEMPLE-	)
INLAND, INC.; PABCO BUILDING	)
PRODUCTS, LLC.,	)

Defendants.

**STIPULATION**

Plaintiffs Ashton Woods Holdings, L.L.C., Beazer Homes Holdings Corp., CalAtlantic Group, Inc., D.R. Horton Los Angeles Holding Company, Inc., Hovnanian Enterprises, Inc., KB Home, Meritage Homes Corporation, M/I Homes, Inc., Pulte Home Corporation, The Drees Company, Toll Brothers, Inc., and TRI Pointe Homes, Inc. (collectively, "Plaintiffs") and Defendant L&W Supply Corporation ("L&W") stipulate as follows:

WHEREAS, on April 2, 2021, Plaintiffs and L&W signed a binding term sheet setting forth an agreement to settle all matters in controversy between the parties;

NOW, THEREFORE, the Parties hereby stipulate and agree to the following:

- Plaintiffs hereby dismiss all claims against USG Corp., United States Gypsum Company, and L&W Supply Corporation with prejudice. Fed. R. Civ. P. 41(a). Each shall bear their own costs, expenses, and attorneys' fees.

**IT IS SO STIPULATED**

DATED: April 8, 2021

/s/ Gary T. Lafayette

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Respectfully submitted,

/s/ Kevin Y. Teruya

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**ORDER**

Pursuant to the parties' stipulation, it is so **ORDERED**. All claims against USG Corp., United States Gypsum Company, and L&W Supply Corporation are **DISMISSED** with prejudice. Each shall bear its own costs, expenses, and attorneys' fees.

Date: 4/9/2021



Hon. Haywood S. Gilliam, Jr.

United States District Judge